

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EMMANUEL DAVENPORT,

Plaintiff,

v.

CITY OF PHILADELPHIA, PA, et al.,

Defendants.

CIVIL ACTION  
NO. 16-6397

**ORDER**

**AND NOW**, this 26th day of October, 2018, upon consideration of Defendants' Motion to Dismiss Count II of the Second Amended Complaint (Doc. No. 29), and Plaintiff's Response to Defendants' Motion (Doc. No. 31), it is **ORDERED** that Defendants' Motion to Dismiss Count II (Doc. No. 29) is **GRANTED** in its entirety.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.